Exhibit 14

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January 11, 2006

## VIA FEDERAL EXPRESS

The Honorable Bill Lockyer Attorney General 1300 I Street, Suite 1740 Sacramento, CA 95814

## Notice of Proposed Class Action Settlement

## IN RE SONY BMG CD TECHNOLOGIES LITIGATION

Dear Attorney General Lockyer:

In compliance with the Class Action Fairness Act of 2005 ("CAFA"), 28 U.S.C. § 1715, SONY BMG Music Entertainment ("SONY BMG"), a Delaware general partnership headquartered in New York City, by its counsel, Debevoise & Plimpton LLP, hereby advises you of a proposed settlement that it and its two co-defendants — First4Internet Ltd. (a United Kingdom corporation) and SunnComm International Inc. (a Nevada corporation headquartered in Arizona) — have reached in the matter of In ReSony BMG CD Technologies Litigation, Case No. 05-CV-9575, (the "Action") pending in the United States District Court for the Southern District of New York (the "S.D.N.Y. Court") before the Honorable Naomi Reice Buchwald. The Action concerns SONY BMG's use of First4Internet's "XCP" and SunnComm's "MediaMax" copy protection software on approximately 100 audio compact disc titles released by SONY BMG since August 2003, and damages plaintiffs allege were caused thereby.

Enclosed, as required by CAFA, please find the following materials relating to this proposed settlement:

- The original complaint in the Action filed by plaintiffs James Michaelson and Ori Edelstein on November 14, 2005;
- The Case Management Order entered by the S.D.N.Y. Court on December 1, 2005, which consolidated the first-filed <u>Michaelson</u> complaint with other lawsuits alleging identical claims, and appointed co-lead counsel for plaintiffs;

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- The Consolidated Amended Complaint in the Action filed by plaintiffs' co-lead counsel on December 28, 2005;
- The Motion and Memorandum of Law in Support of Plaintiffs' Application for Preliminary Approval of the Class Action Settlement filed on December 28, 2005;
- 5. The Affidavit of Elizabeth C. Pritzker in Support of Plaintiffs' Application for Preliminary Approval of Class Action Settlement executed on December 28, 2005 ("Pritzker Affidavit"), and the Exhibits thereto, which include the Settlement Agreement between plaintiffs and defendants, and the various attachments to the Settlement Agreement; and
- 6. The Hearing Order preliminarily approving the settlement, which was signed by the S.D.N.Y. Court on January 6, 2006. Please note that this Hearing Order is the only written judicial opinion relating to materials described under the Class Action Fairness Act's notice requirements, 28 U.S.C. § 1715(b)(3)-(b)(6).

The Settlement Agreement is Exhibit C to the enclosed Pritzker Affidavit. The proposed full and summary forms of notice to class members of the proposed settlement of the class action are Exhibits F and G to the Settlement Agreement. Instructions to class members as to how they may request exclusion from the settlement class appear as Question 13 of the notice appended as Exhibit F. The deadline for settlement class members to request exclusion is May 1, 2006. Please note that the damages class, through which all direct relief will be provided to consumers, will be certified for settlement purposes on an opt-out basis under Federal Rule of Civil Procedure 23(b)(3). The settlement also provides for potential injunctive relief, and the settlement class for this injunctive relief would be certified on a non-opt out basis under Rule 23(b)(2).

CAFA requires SONY BMG to provide "a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement." 28 U.S.C. § 1715(b)(7). Because SONY BMG sells the vast majority of audio CDs through retailers, including national chains, rather than directly to consumers, it does not have data respecting the number of affected CDs sold in each state or the identities of the purchasers.

Paragraph 10(e) of the Hearing Order lists the periodicals in which SONY BMG is required to publish the summary form of notice. SONY BMG has contracted with Kinsella/Novak Communications Ltd. to publish the notice in these publications, as well as several other newspapers around the country, which have a combined circulation of nearly 12 million. Additionally, SONY BMG will publish a Spanish-language version of the summary notice in four leading Spanish-language newspapers, and will post the full notice in Spanish on the settlement website.

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As of January 4, 2006, SONY BMG believes that the total number of CDs containing the XCP software sold to consumers in the United States was approximately 3:0 million, that the total number of CDs containing MediaMax Version 5.0 sold to consumers in the United States was approximately 4.2 million, and that the total number of CDs containing MediaMax Version 3.0 sold to consumers in the United States was approximately 9.5 million. Although SONY BMG cannot state this for certain, it believes that the number of CDs sold in each state has been roughly proportionate to the state's share of the overall national population. Because the proposed settlement provides the same benefits to each settlement class member, regardless of location, the proportion of the total benefits received by the residents of each state also would be roughly equal to the state's share of the overall U.S. population.

The next scheduled judicial hearing concerning the proposed settlement is the Fairness Hearing, now slated to occur on May 22, 2006, at 9:15 AM at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York.

If you have any questions about this notice, please do not hesitate to contact me by phone at (212) 909-6479 or by email at jsjacobson@debevoise.com.

Respectfully submitted,

Jeffrey S. Jacobson

Enclosures